

REMARKS

This is a full and timely response to the non-final Office action mailed November 21, 2006. Reexamination and reconsideration in view of the foregoing amendments and following remarks is respectfully solicited.

Claims 1-22 are pending in this application. Claims 21 and 22 have been amended, and no claims have been added or canceled. No new matter has been added.

Rejection Under 35 U.S.C. § 102

Claims 21 and 22 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Simon (US Patent No. 5,937,065, referred to herein as “Simon”). Applicant has amended claims 21 and 22, and respectfully traverses this rejection.

Simon discloses a keyless motor vehicle control system 10 having a remote control 12 and a motor vehicle control circuit 14 (Figure 1). When a user activates a switch, the remote control 12 sends an initial numerical code to the control circuit 14 (col. 5, lines 3-19). In response, the control circuit 14 sends a challenge number (e.g., a random number) to the remote control 12 (col. 5, lines 28-33). The remote control 12 generates an answer number from the challenge number and a predefined, secret seed number, and sends the answer number to the control circuit 14 (col. 5, lines 34-55). Each authorized remote control for the same motor vehicle has the same seed number, and the control circuit also has the seed number (col. 6, lines 1-19). The answer number is used for verification, and not as an encryption key (col. 6, lines 8-50).

Applicant’s claim 21 includes at least the following features, which distinguish Applicant’s claim 21 from that which is disclosed by Simon:

“... a key generating key stored in the remote keyless entry transmitter, the key generating key never transmitted from the remote keyless entry transmitter;

an incrementable counter in the remote keyless entry transmitter having an output; and

a mechanism in the remote keyless entry transmitter for generating a working key from the key generating key and the output; and

a transmitter configured to transmit the working key to a receiver, and to send a command message encrypted with the working key.”

Applicant's claim 22 includes at least the following features, which distinguish Applicant's claim 22 from that which is disclosed by Simon:

“ . . . a key generating key stored in a remote keyless entry device and never transmitted from the remote keyless entry device;

a number generator configured to generate a number for use as a working key, the number comprising a number selected from the group consisting of random numbers and pseudorandom numbers and based on the key generating key;

a transmitter configured to transmit the working key to a motor vehicle during a training session, and to send a command message encrypted with the working key.”

Nowhere does Simon disclose all of the features of Applicant's claims 21 and 22. More specifically, nowhere does Simon disclose “ . . . a key generating key stored in a remote keyless entry device” (claims 21, 22), “a mechanism in the remote keyless entry transmitter for generating a working key from the key generating key and the output (of an incrementable counter)” (claim 21), or “a transmitter configured to transmit the working . . . and to send a command message encrypted with the working key” (claims 21, 22). Accordingly, Simon does not disclose all of the limitations of Applicant's claims 21 and 22.

Based on the amendments and the above remarks, Applicant respectfully submits that the rejection of claims 21 and 22 under 35 U.S.C. § 102(b) has been overcome. Accordingly, Applicant respectfully requests that the rejection of claims 21 and 22 under 35 U.S.C. § 102(b) be withdrawn, and that these claims be allowed.

Allowable Subject Matter

Claims 1-20 have been allowed. The Applicant acknowledges this allowance, and appreciates the thorough review and consideration of these claims.

Support for Claim Amendments

Support for the claim amendments may be found in the originally-filed application at least in Figure 1 (transmitter 26), Figure 2 (key generating key 18), and paragraph [0018]. No new matter has been introduced as a result of the amendments.

Conclusion

In conclusion, for the reasons given above, all claims now presently in the application are believed allowable and such allowance is respectfully requested. The other art of record is also not understood to disclose or suggest the inventive concept of the present application as defined by the claims.

If for some reason Applicant has not requested a sufficient extension and/or has not paid a sufficient fee for this Response and/or for the extension necessary to prevent abandonment on this application, please consider this as a request for an extension for the required time period and/or authorization to charge Deposit Account No. 502091 for any fee which may be due.

Respectfully submitted,

Dated: January 29, 2007

By: /Sherry W. Schumm/
Sherry W. Schumm
Reg. No. 39,422

Ingrassia Fisher & Lorenz, P.C.

Correspondence Address
General Motors Corporation
Legal Staff
Mail Code 482-C23-B21
P.O. Box 300
Detroit, MI 48265-3000
Telephone: (313) 665-4969